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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/694,421	10/27/2003	Shinsuke Matsui	44471-293958	5356
23370	7590	12/23/2004	EXAMINER	
JOHN S. PRATT, ESQ KILPATRICK STOCKTON, LLP 1100 PEACHTREE STREET ATLANTA, GA 30309			NGUYEN, DUNG V	
			ART UNIT	PAPER NUMBER
			3723	

DATE MAILED: 12/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/694,421	Applicant(s) MATSUI ET AL.	
	Examiner Dung V Nguyen	Art Unit 3723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/27/03 & 3/25/04</u> | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 9 and 10 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claims 4 and 8. See MPEP § 608.01(n). Accordingly, the claims 9 and 10 have not been further treated on the merits.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. Claim 1 recites the limitation "the planetary gear mechanism section" in line 11. There is insufficient antecedent basis for this limitation in the claim. "the planetary gear mechanism section" should be "the planetary gear mechanism box".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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6. Claims 1, 4 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Crocker et al (USPN 6,186,871). Crocker et al discloses an optical connector face end machining apparatus comprising an operation circuit box having a drive motor 35 and a battery 36 and serving as a grasping section, a planetary gear mechanism box including a drive mechanism 41 that rotatably retains a polishing table 25 on a retainer and permits rotation from the drive motor 35 to be delivered to the polishing table through a planetary gear mechanism, a chuck mounting section 34 fixedly secured to the planetary gear mechanism box includes a chuck 23 that allows a ferrule 14 to be guided with respect to the polishing table 25 for sliding in a vertical direction, a pressure-applying mechanism 52 that causes the ferrule 14 to be vertically held in pressure contact with the polishing table 25, wherein the polishing table retainer being able to revolve and rotate on a surface (note Fig. 1 and 2, col. 4, line 18 to col. 5, line 46).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crocker et al (USPN 6,186,871). Crocker et al discloses the claimed invention as described above, however, Crocker et al does not disclose expressly

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that the chuck mounting section is fixedly secured to the planetary gear mechanism box by means of two columns or the polishing table is made of a resilient deformable material. At the time the invention was made, it would have been an obvious matter of design choice to a person of ordinary skill in the art to secure a chuck mounting section to a planetary gear mechanism box by means of two columns or make a polishing table of a resilient deformable material because applicant has not disclosed that two columns or resilient deformable material provides an advantage, is used for a particular purpose or solves a stated problem. One of ordinary skill in the art, furthermore, would have expected applicant's invention to perform equally well with two or four columns or non deformable material because the columns or material perform the same function of secured the a chuck mounting section to a planetary gear mechanism and a table material perform the same function of support a polishing pad. Therefore, it would have been an obvious mater of design choice to modify Crocket et al to obtain the invention as specified in claims 2 and 3.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Crocker et al (USPN 6,186,871) in view of Suzuki et al (USPN 5,464,361). Crocket et al discloses the claimed invention as described above, however, Crocket et al does not disclose a method a method of machine an end face of an optical connector comprising applying an adhesive to a circumferential periphery of a fiber at an area except for an end face to be processed and permitting the fiber 4 to be inserted to the ferrule and bonded thereto into the ferrule, cutting an excessive fiber 4 protruding from an end face of the fiber, forming a convex

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spherical surface on the end face of the fiber and finishing the end face of the fiber. Suzuki et al discloses a method of machine an end face of an optical connector comprising applying an adhesive 5 to a circumferential periphery of a fiber 4 at an area except for an end face to be processed and permitting the fiber 4 to be inserted to the ferrule 1 and bonded thereto into the ferrule 1, cutting an excessive fiber 4 protruding from an end face of the fiber, forming a convex spherical surface on the end face of the fiber 4 and finishing the end face of the fiber 4 (note Fig. 2 and 3, col. 2, line 55 to col. 3, line 30). It would have been obvious to one having ordinary skill in the art at the time the invention was made to use the method disclosed by Suzuki et al with the apparatus of Crocket et al in order to grind the fiber has the same end surface as the ferrule.

Allowable Subject Matter

10. Claims 6-9 and 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kawada, Minami et al and Arai et al are cited to show apparatus for machining optical connector end face.

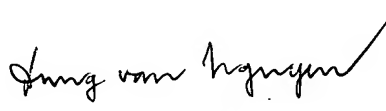
12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung V Nguyen whose telephone number is 571-272-4490. The examiner can normally be reached on M-F, 6:30-3:00.

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13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J Hail can be reached on 571-272-4485. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DVN
December 20, 2004


DUNG VAN NGUYEN
PRIMARY EXAMINER